

FIFTEENTH DAY

(Friday, October 6, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hill of Webb.
Adamson.	Hodges.
Aikin.	Holekamp.
Alexander.	Holland.
Alsup.	Holloway.
Anderson.	Hoskins.
Baker.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	Hunter.
Bedford.	Hyder.
Bourne.	Jackson.
Bradley.	James.
Burns.	Jefferson.
Butler.	Johnson
Calvert.	of Anderson.
Camp.	Jones of Atascosa.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Caven.	Kyle of Hays.
Celaya.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Lemens.
Coombes.	Leonard.
Cowley.	Lindsey.
Crossley.	Long.
Daniel.	Lotief.
Davidson.	Mackay.
Dean.	Magee.
Devall.	Mathis.
Dunlap.	McClain.
Dunagan.	McCullough.
Duvall.	McDougald.
Dwyer.	McGregor.
Engelhard.	McKee.
Fain.	Merritt.
Few.	Metcalf.
Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Harris.	Puryear.
Harrison.	Ramsey.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.

Riddle.	Stubbeman.
Roberts.	Sullivant.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Weinert.
Smith.	Wells.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.
Stovall.	

Absent—Excused

Johnson	Kayton.
of Dimmit.	Ratliff.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVE OF ABSENCE GRANTED

Mr. Ratliff was granted leave of absence for today, on account of important business, on motion of Mr. Dean.

INVITING OFFICIALS OF TEXAS CENTENNIAL COMMISSION TO ADDRESS THE LEGISLATURE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 18, Inviting officials of Texas Centennial Commission to address the Legislature.

Whereas, Officials of the Texas Centennial Commission, and other prominent citizens of Texas, will be in Austin, on Friday morning at 9 o'clock, for a conference with the Governor, on the Texas Centennial enterprise; and

Whereas, The Texas Centennial Celebration is a platform demand, and has been authorized by an amendment to the Texas Constitution, voted by the people with a majority of more than 90,000 votes, in November, 1932; and

Whereas, The entire Centennial organization is non-political, and is composed of patriotic citizens of the State, who desire to celebrate one hundred years of Texas Independence and unparalleled progress, and to show to the world her matchless resources, and to awaken in the hearts

of all citizens of Texas a deeper appreciation of the State's wonderful history and traditions; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a Joint Session of the House and Senate be held in the House of Representatives at 11 o'clock, on Friday, October 6; and, be it further

Resolved, That Hon. Cullen Thomas, of Dallas, Chairman of the Texas Centennial Legislative Committee; Hon. Lowry Martin, of Corsicana, Past President of the Texas Press Association, in whose city the Centennial movement had its birth; Hon. Pat Neff, of Baylor University, during whose administration as Governor of Texas, the Centennial movement assumed definite and official form, and Hon. Walter Cline, Past President of the West Texas Chamber of Commerce, one of the most aggressive supporters of the Centennial of which Texas boasts, be invited to address the Joint Session.

The resolution was read second time.

On motion of Mr. McGregor, the resolution was adopted.

SUBCOMMITTEE OF COMMITTEE ON JUDICIARY EXCUSED

Mr. Goodman submitted the following request:

Mr. Speaker: I make the request that Messrs. Stovall, Van Zandt, Moore, Jones of Atascosa, and Mrs. Hughes, composing the Subcommittee of the Committee on Judiciary of the House, to consider and redraft, if necessary, House Bills Nos. 5, 16, 156, be excused from attendance of the House while engaged in the duties imposed upon them.

J. L. GOODMAN,
Chairman, Committee on Judiciary.

The request of Mr. Goodman was granted by the Speaker, and the Members of the Subcommittee were granted leaves of absence because of important committee work on House Bills Nos. 5, 16, and 156.

GRANTING MARTIN BROTHERS PERMISSION TO SUE THE STATE

Mr. McGregor offered the following resolution:

H. C. R. No. 29, To grant Martin Brothers Contracting Company permission to sue the State.

Whereas, During the years of 1932 and 1933, E. V. Martin and T. Q. Martin, acting under the firm name of Martin Brothers, General Contractors, operating under contract with the Texas State Highway Department, constructed a portion of Highway No. 146, S. P. 955-A, in Liberty County, Texas; and

Whereas, After the final construction of said highway, or portion thereof, contracted to be constructed by Martin Brothers, and acceptance thereof by the State Highway Department, there existed a difference in the estimates of the work performed by said Martin Brothers, between the State Highway Department and said Martin Brothers, of three thousand ninety dollars and 64/100 (\$3,090.64); and

Whereas, The State Highway Department refused and still refuses to pay said Martin Brothers the said sum of three thousand ninety dollars and 64/100 (\$3,090.64), and the said Martin Brothers claim that the State of Texas is due them said sum of three thousand ninety dollars and 64/100 (\$3,090.64), notwithstanding the contention of the engineers of the State Highway Department and the State Highway Commission; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That permission be given to said Martin Brothers to sue the State of Texas, in a court of competent jurisdiction in Travis County, Texas, upon said claim above-described.

The resolution was read second time.

On motion of Mr. Alsup, it was referred to the Committee on State Affairs.

ENDORSING DR. THOMAS P. MARTIN FOR CERTAIN POSITION

Mr. Jones of Runnels offered the following resolution:

Whereas, The Government of the United States has contracted for the construction of a National Archives Building, to be completed not later than January 1, 1935; and

Whereas, An administration headed by an archivist of the United States must soon be provided by law; and

Whereas, Dr. Thomas P. Martin, a native and a citizen of this State of Texas, is, in the opinion of many archivists and historians throughout the United States, eminently qualified by education and experience to fill the position of archivist, when that position shall have been created by law; therefore, be it

Resolved by the House of Representatives of Texas, now in session, That we endorse Dr. Thomas P. Martin for appointment as Archivist of the United States, and that as a token of our respect, admiration, and esteem of our fellow Texan, that an enrolled copy of this resolution be forwarded, by the Chief Clerk of the House of Representatives, to the Vice-President of the United States, Hon. John Garner, and to Senators Tom Connally and Morris Sheppard.

Signed—Jones of Runnels, Bourne, Scott, Parkhouse, Stinson, Coombes, Reed of Dallas, Savage, Hughes.

The resolution was read second time, and was adopted.

MOTION TO PRINT HOUSE BILL NO. 77 ON A MINORITY REPORT

Mr. Graves moved that House Bill No. 77, reported adversely, with a minority favorable report, be printed.

Mr. Burns raised a point of order on further consideration of the motion, on the ground that notice of a minority report was not filed properly.

The Speaker sustained the point of order.

Mr. Graves moved that the House Rule, relative to the time for the filing of minority reports, be suspended at this time, for the purpose of making the above motion.

The motion to suspend the Rule was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—71

Aikin.	Crossley.
Alexander.	Dean.
Barrett.	Engelhard.
Barron.	Fisher.
Bedford.	Ford.
Bourne.	Fuchs.
Bradley.	Golson.
Camp.	Graves.
Canon.	Greathouse.
Chastain.	Griffith.
Clayton.	Hankamer.

Harman.
Harrison.
Hicks.
Hill of Webb.
Hodges.
Holland.
Hunter.
Hyder.
James.
Johnson
of Anderson.
Jones of Shelby.
Kyle of Hays.
Laird.
Lemens.
Mackay.
Magee.
Mathis.
McCullough.
McDougald.
McGregor.
Merritt.
Metcalf.
Mitcham.
Moffett.

Morse.
Nicholson.
Parkhouse.
Pavlica.
Ray.
Reader.
Reed of Bowie.
Renfro.
Riddle.
Roberts.
Rollins.
Ross.
Savage.
Scarborough.
Shults.
Smith.
Steward.
Sullivant.
Thomas.
Townsend.
Vaughan.
Wagstaff.
Weinert.
Wells.
Young.

Nays—41

Adamson.
Alsup.
Baker.
Beck.
Burns.
Cathey.
Coombes.
Cowley.
Daniel.
Devall.
Dunagan.
Fain.
Few.
Glass.
Good.
Harris.
Head.
Holekamp.
Huddleston.
Hunt.
Jackson.

Jones of Runnels.
Kyle of Palo Pinto.
Latham.
Lindsey.
Lotief.
Munson.
Palmer.
Pope.
Puryear.
Reed of Dallas.
Rogers of Hunt.
Rogers
of Ochiltree.
Russell.
Shannon.
Stinson.
Stubbeman.
Tarwater.
Tennyson.
Tillery.
Walker.

Absent

Anderson.	Hoskins.
Calvert.	Jefferson.
Caven.	Leonard.
Celaya.	Long.
Colson.	McClain.
Davidson.	McKee.
Dunlap.	Morrison.
Duvall.	Patterson.
Dwyer.	Ramsey.
Goodman.	Scott.
Hartzog.	Stanfield.
Hester.	Turlington.
Hill of Brazoria.	Winningham.
Holloway.	Wood.

Absent—Excused

Butler.	Kayton.
Hughes.	Moore.
Johnson	Ratliff.
of Dimmit.	Stovall.
Jones of Atascosa.	Van Zandt.

REQUESTING THE ISSUANCE OF CERTAIN PASSES

Mr. Shults offered the following resolution:

H. C. R. No. 26, Requesting all chartered transportation companies to issue free passes or free transportation to any citizen of the State who served in the War Between the States of the Union, either on the Confederate side or Union side of said War.

Whereas, Article 4006, of the Revised Civil Statutes of the State of Texas, provides that steam railway companies, electric railway companies, street railway companies, interurban railway companies, or other chartered transportation companies shall not be prevented from granting or exchanging free passes or free transportation to any citizen of the State who served in the War Between the States of the Union, either on the Confederate side or the Union side of said War; and

Whereas, The said transportation companies do issue free passes or free transportation to all inmates of the State Confederate Home, but do not issue free passes or free transportation to Confederates who are not living in the Confederate Home; and

Whereas, Numbers of those who served on the Confederate side are now living many miles from their children or nearest relatives, and the amount paid to them out of the pension fund is not adequate to pay their traveling expenses to and from the homes of their children and nearest relatives; and

Whereas, It will be of interest to the majority of the people of this State that free passes and free transportation be granted to these Confederates; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the chartered transportation companies doing business in the State of Texas shall be requested to grant free passes and free transportation to any citizen of this State who served in the War Between the States of the Union, either on the Confed-

erate side or on the Union side of said War, regardless of whether said Confederate resides in the State Confederate Home or not.

The resolution was read second time, and was adopted.

MOTION TO PRINT ON MINORITY REPORT

Mr. Hartzog moved that House Bill No. 75, reported adversely, with a minority favorable report, be printed.

Mr. Pope moved to table the motion. The motion to table prevailed.

HOUSE BILL NO. 53 WITH SENATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 53, A bill to be entitled "An Act to amend Section 6, Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, by adding thereto, Section 6-a, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof in the transportation of his poultry, dairy, live stock, and farm products, grown or produced by him, to market or to other points for processing, and for the transportation of supplies by the owner of such commercial motor vehicle from place of purchase, to his own farm or ranch for his exclusive use; prescribing penalties for violation thereof, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Moffett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Moffett, Alexander, Wagstaff, and Beck.

RELATIVE TO SUPPLEMENTARY SALARIES AT STATE-SUP-PORTED SCHOOLS

Mr. Graves offered the following resolution:

H. C. R. No. 28, Relative to disposition of moneys appropriated for use by State schools.

Whereas, There has heretofore been passed by this Forty-third Legislature, at its Regular Session, a bill making appropriations for the support of the educational institutions of higher learning in this State, said bill being known as House Bill No. 166, Chapter 215, Acts of such Regular Session; and

Whereas, It had been known that for many years such educational appropriation bills had been merely a skeletonized form, and that the salaries, expenses, and amounts had practically all been supplemented and raised by the heads of such institutions, such raises in salary and expenses being met and paid for out of local funds and Federal funds; and such raises in expenditures being made at the caprice of the heads of such institutions, and not under any sanction of the Committee on Appropriations; and

Whereas, In a sincere effort to control all such expenditures the Committee on Appropriations ascertained that the Agricultural and Mechanical College, at Bryan, had received, and would continue to receive, large sums of money from sources other than those given to them in the appropriation bill above referred to, and unless the disposition of such sums were controlled by this Committee on Appropriations, any cut made in the salaries or expenses of such institution could be, and would be rendered abortive and of no effect, because of the fact that they would take other funds not controlled by this bill, and supplement such salaries and expenses up to any amount they might desire; and

Therefore, In an effort to so control the expenditure of such large sums of money, and in an effort to see that all of the State's higher educational institutions should be on as nearly as possible an equal and uniform basis, both as to salaries and expenses, this Committee voted a bill with two different sources of payment for each item, one being the amount to be paid out of State funds, and a further item for such salary or expense to be paid out of Federal funds. In writing the bill, however, only the State fund items were included therein; and in order to give such Agricultural and Mechanical College and its branches authority to supplement

such salaries and expenses with the additional amounts from Federal funds the following paragraph was added as a rider to such educational appropriation bill:

"Where the salary fixed for any position or positions does not equal seventy per cent (70%) of the total amount received for such positions during the fiscal year ending August 31, 1933, in those institutions which are receiving Federal aid in excess of ten thousand dollars (\$10,000) per annum for such institutions and its branches, the president of such institutions, with the consent of the governing board therefor, shall be authorized to make necessary adjustments so that the reduction will not be in excess of thirty per cent (30%) of the amount so allowed for such position or positions during the fiscal year ending August 31, 1933."

Therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, in its First Called Session, the Senate concurring, That by the above-quoted paragraph in said House Bill No. 166, Regular Session of the Forty-third Legislature, the Legislature meant then, and it means now, that said paragraph meant and was intended to mean, and now means, that the Agricultural and Mechanical College of Texas and its two branches, to wit: the branch at Arlington, Texas, and the branch at Stephenville, Texas, had the right to use Federal funds for the purpose of supplementing salaries and expenses up to the amount set forth in said paragraph and no more; and that such privilege of so supplementing salaries under said bill did not then, and does not now, extend to any other higher educational institution of this State. That it was not intended therein by this Legislature to allow the University of Texas, nor any of its branches (except Agricultural and Mechanical College and its branches), to supplement or raise any salaries fixed in said bill; and it being further the intent of this Legislature that whenever any such institution of learning is given permission herein to thus supplement salaries out of other than the General Revenue Fund, that such supplementing funds and the General Fund shall be drawn on monthly in equal proportions, each fund to bear its equal share and proportionate part

of such amounts as set forth in the appropriation bill as herein referred to.

We make this declaration on account of the fact that the Attorney General of this State has held that the above-quoted paragraph evidences an intention on the part of this Legislature to allow the University of Texas to so supplement their salaries, and thus sets aside many items in said bill that were passed upon by this House and Senate, and fixed as the same appears in said bill, and in order to clarify this bill and make certain the legislative intent and act, this resolution is offered and utilized as directory to the Comptroller of this State and the State Treasurer.

GRAVES,
HYDER,
SCOTT.

The resolution was read second time.

Mr. Wells raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 6, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 32, A bill to be entitled "An Act to aid the City of Palacios and the village of Collegeport, both situated in Commissioners Precinct No. 3 of Matagorda County, Texas, in constructing and maintaining sea walls, breakwaters, shore protection, in order to protect said city and village from calamitous overflows by donating to them eight-ninths (8/9) of the ad valorem taxes collected on all property, both real and personal, in Commissioners Precinct No. 3 of Matagorda County, Texas, for a period of thirty years; providing for a commission to construct such sea walls, breakwaters, and shore protection; providing for compensation for members of said commission; providing a penalty for misapplication of the moneys thus donated, and declaring an emergency."

The Senate has adopted

S. C. R. No. 20, Granting H. J. Hetkes Company permission to sue the State of Texas and Highway Department, in Travis County.

Respectfully,
BOB BARKER,
Secretary of the Senate.

REQUESTING THE GOVERNOR TO SUBMIT CERTAIN SUBJECT

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Mackay, requesting the Governor to submit the question of State salaries; the resolution having heretofore been read second time.

(Mr. Mathis in the Chair.)

Question recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—27

Alsup.	Jefferson.
Barrett.	Mathis.
Butler.	McKee.
Clayton.	Metcalfe.
Colson.	Morrison.
Duvall.	Morse.
Dwyer.	Pavlica.
Fisher.	Ray.
Glass.	Rollins.
Griffith.	Ross.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Steward.
Holland.	Townsend.
Hoskins.	

Nays—81

Adamson.	Good.
Aikin.	Goodman.
Alexander.	Graves.
Anderson.	Greathouse.
Baker.	Hankamer.
Barron.	Harman.
Bourne.	Harris.
Camp.	Harrison.
Canon.	Hartzog.
Cathey.	Head.
Celaya.	Hester.
Chastain.	Hicks.
Coombes.	Hodges.
Cowley.	Holekamp.
Crossley.	Huddleston.
Dean.	Hunt.
Devall.	Hunter.
Engelhard.	Hyder.
Fain.	Jackson.
Ford.	James.
Fuchs.	Johnson
Golson.	of Anderson.

Jones of Shelby.	Rogers
Kyle of Hays.	of Ochiltree.
Kyle of Palo Pinto.	Russell.
Latham.	Savage.
Long.	Scott.
Lotief.	Shannon.
Magee.	Shults.
McCullough.	Smith.
McGregor.	Stinson.
Merritt.	Stubbsman.
Mitcham.	Tarwater.
Munson.	Tennyson.
Palmer.	Thomas.
Pope.	Tillery.
Puryear.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Renfro.	Weinert.
Rogers of Hunt.	Wells.
	Young.

Present—Not Voting

Wood.

Absent

Beck.	Lindsey.
Bedford.	Mackay.
Bradley.	McClain.
Burns.	McDougald.
Calvert.	Moffett.
Caven.	Nicholson.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dunlap.	Ramsey.
Dunagan.	Reader.
Few.	Riddle.
Holloway.	Roberts.
Jones of Runnels.	Stanfield.
Laird.	Sullivant.
Lemens.	Turlington.
Leonard.	Winningham.

Absent—Excused

Hughes.	Moore.
Johnson	Ratliff.
or Dimmit.	Stovall.
Jones of Atascosa.	Van Zandt.
Kayton.	

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, October 6 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 33, A bill to be entitled "An Act to appropriate the unexpended balance in the State Treasury on September 1, 1933, to the credit of a separate fund provided for by Section 9, Senate Bill No. 111, passed at

the Second Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act amending Section 1, of Chapter 12, Acts of the Forty-second Legislature, defining the offense of kidnapping for extortion, ransom or robbery, so as to provide for capital punishment, regardless of whether the person kidnapped, detained, or enticed away is returned by the defendant without serious bodily injury, and declaring an emergency."

S. B. No. 45, A bill to be entitled "An Act providing an open season or period of time for taking wild ducks, geese, and/or brant; providing a bag limit and possession limit; providing a penalty for violation; repealing all laws insofar as they may conflict with any provision of this Act, and declaring an emergency."

S. B. No. 58, A bill to be entitled "An Act to provide for the sale by the State to the City of Port Arthur, Texas, a municipal corporation, and its assigns, a certain tract or area of land situated in Jefferson County, Texas, same being submerged lands constituting a part of the bed of Sabine Lake; retaining to the State all minerals therein, and declaring an emergency."

S. B. No. 72, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article XVI, of the Constitution of Texas, to be known as 'The Colorado River Authority'; defining the territory of such district; prescribing the purpose, authority, powers and privileges of such corporation; providing for directors of the corporation, their term of office, their compensation, their powers and duties, and for the employment by them of a secretary, manager, attorneys, auditors, engineers, and other assistants; providing that the corporation may enter into contracts and other obligations, acquire and hold property, sue and be sued in its corporate name, for the borrowing of money, the issuance of bonds, notes, and other obligations, and encumbering and pledging the property of the corporation; providing for the deposit, withdrawal, and disbursement of funds, financial statements, and disposition of net earnings, and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act prohibiting inquiry concerning the religion or religious affiliations of persons seeking employment or official position in the public schools; providing a penalty, and declaring an emergency."

The Senate has adopted

S. C. R. No. 11, Granting permission to C. B. Spooner et ux to sue the State.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILLS AND SENATE CONCURRENT RESOLUTION ON FIRST READING

The following Senate bills and Senate concurrent resolution, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 58, to the Committee on Public Lands and Buildings.

Senate Bill No. 5, to the Committee on State Affairs.

Senate Bills Nos. 32 and 72, to the Committee on Conservation and Reclamation.

Senate Bill No. 33, to the Committee on Appropriations.

Senate Bill No. 36, to the Committee on Criminal Jurisprudence.

Senate Bill No. 45, to the Committee on Game and Fisheries.

Senate Concurrent Resolution No. 20, to the Committee on State Affairs.

ADDRESS BY OFFICIALS OF THE TEXAS CENTENNIAL COMMISSION

(In Joint Session)

In accordance with the provisions of Senate Concurrent Resolution No. 18, Inviting the officials of the Texas Centennial Commission to address a Joint Session of the House and Senate, the Honorable Senate, escorted by Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, was announced at the Bar of the House, and, being admitted, occupied seats prepared for them.

Lieutenant Governor Edgar Witt and party, accompanied by Senator Margie Neal, and officers of the Texas Centennial Commission, were escorted to seats on the Speaker's stand.

Speaker Stevenson called the House of Representatives to order.

Lieutenant Governor Edgar Witt called the Senate to order.

Speaker Stevenson presented Senator Margie Neal, who introduced Hon. Lowry Martin, retiring President of the Texas Press Association.

Mr. Lowry then addressed the Joint Session.

Senator Margie Neal presented Lieutenant Governor Edgar Witt, who introduced Hon. Cullen F. Thomas, Chairman of the Texas Legislative Centennial Committee.

Mr. Thomas then addressed the Joint Session.

Messrs. Tom Etheridge and Walter Cline were then introduced, and addressed the Joint Session, respectively.

SENATE RETIRES

At the conclusion of the addresses, the Senate retired to its Chamber.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,
Austin, Texas, October 5, 1933.

To the Forty-third Legislature in First Called Session:

By request of Representative Butler and other Members of the House, I herewith submit for your consideration the attached bill, to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than 22,500 and not more than 22,900, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 5, 1933.

To the Forty-third Legislature in First Called Session:

At the request of Senator Margie E. Neal, I submit for your consideration a bill hereto attached, to be entitled "An Act making an appropri-

tion for one district supervisor for the State Department of Vocational Education."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 5, 1933.

To the Forty-third Legislature in First Called Session:

At the request of Senator Joe M. Moore, I hereby submit for your consideration the attached bill, being "An Act amending Section 13, Chapter 88, Acts of 1929, General Laws, Forty-first Legislature of Texas, Second Called Session, page 172, providing that the Highway Department shall issue or cause to be issued license number plates for each motorcycle, road-tractor, trailer, semi-trailer, and for any other vehicle registered under said Act, and describing how and where and when the license number plates shall be attached to said described vehicle; and providing that said license number plates shall be fastened by locking device furnished by the State, and that no other fastening or locking device shall be used, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 5, 1933.

To the Forty-third Legislature in First Called Session:

By request of Representative J. W. McCullough, I herewith submit for your consideration the attached bill, being "An Act to create a special and more efficient road system for Collin County, in the State of Texas."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 6, 1933.

To the Forty-third Legislature in First Called Session:

Following the adoption by the people of an amendment to the State Constitution, in obedience to the State platform of the Democratic Party, taking cognizance of the resolutions adopted by numerous city clubs and organizations throughout Texas, and prompted by my own desire to see the

one hundredth anniversary of Texas independence suitably commemorated, I hereby submit to the Honorable Bodies for your consideration the question of holding a Texas Centennial in 1936, such a Centennial as is commensurate with our great empire and in keeping with our incomparable history.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Fain:

H. B. No. 182, A bill to be entitled "An Act the purpose of which is to provide for the general welfare in an emergency hereby declared to exist by effectuating the purposes of the National Recovery Act within this State with reference to the milk industry, by eliminating unfair competitive practices therein, and by insuring the sanitary and healthful production and distribution of fluid milk and sweet cream; defining 'fluid milk,' 'sweet cream,' 'butter fat,' and 'milk distributors'; etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Leonard et al.:

H. B. No. 183, A bill to be entitled "An Act to declare in force the amendment to Section 1-a, Article VIII, of the State Constitution, ratified by the voters of the State at a special session held on August 26, 1933; providing the manner of claiming exemption from State ad valorem taxes on residence homesteads; providing for partial exception from State ad valorem taxes assessed for the year, 1933, against residence homesteads in certain areas; providing that the State Comptroller of Public Accounts shall devise procedure under this Act; providing for the validity of the remainder of the Act if any portion be adjudged unconstitutional, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Scarborough:

H. B. No. 184, A bill to be entitled "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Butler et al.:

H. B. No. 185, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand five hundred (22,500) and not more than twenty-two thousand nine hundred and fifty (22,950), according to the last preceding Federal Census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. McCullough:

H. B. No. 186, A bill to be entitled "An Act to create a special and more efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Clayton, Mr. Engelhard, Mr. Long, and Mr. Walker (by request):

H. B. No. 187, A bill to be entitled "An Act to authorize the Board of Regents of the University of Texas to execute bonds in a sum not in excess of one million two hundred thousand dollars, to obtain funds with which to complete the Main Building of the University of Texas; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Vaughan, Mr. Walker, and Mr. Engelhard:

H. B. No. 188, A bill to be entitled "An Act to amend Title 52 (eminent domain), of the Revised Civil Statutes of Texas, by adding Article 3264-b to following 3264-a, defining the powers of the Board of Regents of the University of Texas when acting as trustees of a trust for scientific, educational, philanthropic, charitable, or other public purposes, and to confer upon them the power of eminent domain, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Harris:

H. B. No. 189, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than nine thousand six hundred and eighty-four (9,684) nor more than nine thousand seven hundred and eighty-four (9,784) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of nine million dollars (\$9,000,000) for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

Referred to Committee on Counties.

RECESS

On motion of Mr. Savage, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. McDougald, Senate Bill No. 58 was ordered not printed.

On motion of Mr. Shults, Senate Bill No. 36 was ordered not printed.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been

read severally, the following enrolled bills and resolution:

H. B. No. 103, "An Act providing for the pledging of local school funds from district taxes and other local sources to be used to pay the interest and sinking fund on a loan or loans from the Federal Government for certain purposes; authorizing the pledging of annual tax receipts by the board of trustees; authorizing the making of contracts with lenders upon certain terms; etc., and declaring an emergency."

H. B. No. 21, "An Act authorizing the State Board of Education to create and establish school districts at military reservations located within the State of Texas upon such terms and conditions as agreed upon by and between said Board and the War Department of the United States Government; etc., and declaring an emergency."

H. B. No. 68, "An Act making it unlawful for any person to hunt, trap, kill, or attempt to kill by any means whatsoever, any wild turkey, wild chachalaca, or Mexican pheasant in the Counties of Guadalupe, Comal, Gonzales, and Wilson for a period of five (5) years; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 142, "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas; prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Ninth Judicial District Court to said Special Ninth District Court, and from said Special Ninth District Court to the Court of the Ninth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said Court, making an appropriation for his salary; etc., and declaring an emergency."

S. C. R. No. 18, Inviting the officials of the Texas Centennial Commission to address a Joint Session of the House and Senate.

(Mr. Morse in the Chair.)

PROVIDING FOR THE PAYMENT OF CERTAIN FUNDS TO THE BROWNSBORO INDEPENDENT SCHOOL DISTRICT

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 16, Providing for the payment of certain funds to the Brownsboro Independent School District.

Whereas, Senate Bill No. 242, Chapter 173, Acts of the Forty-third Legislature, Regular Session, provided an emergency appropriation for salary aid, high school tuition aid, transportation aid, tax supplemental aid, high school tuition per capita aid, and consolidated bonus aid to rural school districts; and

Whereas, Brownsboro Independent School District is eligible to participate in the benefits of said bill from the consolidation bonus aid to the extent of \$300; and

Whereas, It was the intention of the Legislature in passing Senate Bill No. 242 to care for all school districts eligible to receive aid under said bill; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the State Superintendent of Public Instruction be, and he is hereby, authorized to pay over to the trustees of Brownsboro Independent School District the sum of \$300 out of any funds that may be unexpended from the deficiency appropriation provided in Senate Bill No. 242, Chapter 173, Acts of the Forty-third Legislature, Regular Session.

The resolution was read second time, and was adopted.

GRANTING J. F. HOLLIS PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 15, Granting J. F. Hollis permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution, with the following amendments:

(1)

Amend House Concurrent Resolution No. 15 by striking out the second "Whereas."

(2)

Amend House Concurrent Resolution No. 15 to allow suit to be filed in Travis County.

The amendments were severally adopted.

The resolution as amended was then adopted.

HOUSE BILL NO. 46 WITH SENATE AMENDMENTS

Mr. Burns called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 46, A bill to be entitled "An Act providing for the creation of discharged convicts revolving fund, amending Article 6166-m, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said fund by the State Treasurer out of monies remitted to him by the General Manager of the State Prison System; providing for reports of the condition of the discharged convicts revolving fund by the depositories, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Burns moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Burns, Daniel, Jones of Shelby, Rogers of Hunt, and Colson.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 46, A bill to be entitled "An Act providing for the creation of

discharged convicts revolving fund, amending Article 6166-m, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said fund by the State Treasurer out of monies remitted to him by the General Manager of the State Prison System; providing for reports of the condition of the discharged convicts revolving fund by the depositories, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO RURAL AID APPROPRIATION BILL

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 17, Relative to the Rural Aid Appropriation Bill;

The resolution having heretofore been read second time, and referred to the Committee on Appropriations;

The Committee on Appropriations having recommended the adoption of the resolution, with the following committee amendment:

Amend the resolution by substituting in lieu thereof the following:

"Whereas, At the Regular Session of the Forty-third Legislature, there was passed House Bill No. 256, commonly known as the Rural Aid Appropriation Bill, and designed to foster education in rural districts; and

"Whereas, Section 9, of the Appropriation Bill, provided for classification of schools by county school boards; and

"Whereas, There has been much confusion and misunderstanding concerning the authority of the State Superintendent of Public Instruction, his agents or representatives, to supersede the authority of the various county boards of trustees, and to suggest that certain schools be reclassified after having been classified by the various county boards of trustees, and that the impression has been created in the minds of many people that State aid for certain rural schools would be withheld or withdrawn unless schools were classified along the lines suggested by the State Superintendent of Public Instruction or his agents and representatives; and

"Whereas, This confusion and uncertainty tends to diminish the value of the Rural Aid Appropriation Bill; now, therefore, be it

"Resolved by the House of Representatives of the Forty-third Legislature, First Called Session, the Senate concurring, That it be, and is hereby, declared to be the legislative intent of the Rural Aid Law that the various county school boards shall have supreme authority in the classification of schools within the respective counties, and it is hereby declared that it was the intention of the Legislature at the time House Bill No. 256 was passed, and still is the intention of the Legislature, that Section 9, of House Bill No. 256, means, and shall be construed to mean, that the various county boards of trustees have sole and supreme authority to classify schools within the counties, subject only to the right of appeal to the State Superintendent of Public Instruction as is now provided by general law, and that no agent or representative of any other person or body shall by any construction of this Act have any authority to alter, change, or amend the classification as provided for by the various county boards of trustees; be it further

"Resolved, That it was not the intention of the Legislature at the time of the passage of House Bill No. 256, and it is not now the intention of the Legislature that the aid granted rural schools under the provisions of the said Rural Aid Bill should be withheld or withdrawn because of the fact that the schools of the various counties were not classified according to suggestions or rules other than the classification ordered by the various county boards; be it further

"Resolved, That copies of this resolution be furnished to the State Superintendent of Public Instruction with instructions that he notify all employes of the State Department of Education as to the contents of this resolution."

The amendment was adopted.

The resolution as amended was then adopted.

GRANTING THE H. J. HETKES COMPANY PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 20, Granting H. J. Hetkes Company permission to sue the State.

Whereas, On or about May 9, 1929, the State Highway Commission of Texas made and entered into a contract with H. J. Hetkes Company, for the grading, erection of drainage structures, and concrete pavement of a road in Galveston County, Texas, being Job No. 85-J, as per plans designated by State Aid Project No. 853; and

Whereas, By virtue of said contract, plans, and specifications, and the requirements of said Highway Commission of Texas and the State of Texas and its agents and employes, controversy has arisen concerning the balance due said H. J. Hetkes Company under said contract, plans, and specifications, and requirements, and the said H. J. Hetkes Company desires that said controversy be submitted to a court for judicial ascertainment of the balance due said firm, if any, and to have the amount fixed, if any; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the H. J. Hetkes Company, or its assigns, be, and it is hereby, authorized to sue the State Highway Department of Texas and the State of Texas for such amount as said firm of H. J. Hetkes may be entitled to recover under and by virtue of said contract, plans, and specifications, and requirements of said Highway Commission of the State of Texas and its agents and employes.

That any party to said suit shall have the right of appeal, and any judgment finally established against the State and the State Highway Commission of Texas shall be a liquidated debt which shall be paid by the Highway Commission of the State of Texas out of the Highway Building Funds of the State of Texas. Such a suit may be filed in any court of competent jurisdiction in Travis County, Texas.

The resolution was read second time, and was adopted.

GRANTING J. P. FOTY PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 24, Granting J. P. Foty permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING FRANK TINER PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 10, Granting Frank Tiner permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the passage of the resolution, with the following committee amendment:

Amend Senate Concurrent Resolution No. 10 so as to provide that suit be filed in Travis County.

The amendment was adopted.

The resolution as amended was then adopted.

GRANTING ERNEST LOYD PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 14, Granting Ernest Loyd permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING D. S. CAMPBELL PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 15, Granting D. S. Campbell permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution, with the following committee amendment:

Amend committee amendment No. 1 to Senate Concurrent Resolution No. 15 by providing that the suit be tried in Travis County.

The amendment was adopted.

The resolution as amended was then adopted.

GRANTING RALPH BOWERS PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 17, Granting Ralph Bowers permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

GRANTING W. A. MORGAN PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 22, Granting W. A. Morgan permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas—48

Adamson.	Head.
Aikin.	Hester.
Anderson.	Holekamp.
Baker.	Holland.
Bourne.	Hoskins.
Butler.	Hyder.
Canon.	Jefferson.
Cathey.	Laird.
Clayton.	Latham.
Coombes.	Leonard.
Davidson.	Long.
Engelhard.	McCullough.
Few.	McDougald.
Glass.	Mitcham.
Golson.	Parkhouse.
Good.	Pope.
Hankamer.	Ray.
Hartzog.	Renfro.

Rollins.	Sullivant.
Ross.	Tennyson.
Scarborough.	Turlington.
Shannon.	Wagstaff.
Stanfield.	Walker.
Stubbeman.	Wood.

Nays—36

Alsup.	Lotief.
Barrett.	Mackay.
Beck.	Magee.
Camp.	Merritt.
Caven.	Metcalf.
Chastain.	Morrison.
Cowley.	Puryear.
Crossley.	Reed of Bowie.
Fain.	Russell.
Fisher.	Shults.
Fuchs.	Smith.
Goodman.	Steward.
Greathouse.	Stinson.
Hicks.	Thomas.
Hunt.	Tillery.
Hunter.	Vaughan.
Jackson.	Weinert.
Jones of Runnels.	Winningham.

Present—Not Voting

Dean.	Roberts.
Devall.	Tarwater.
Kyle of Hays.	

Absent

Alexander.	Kyle of Palo Pinto.
Barron.	Lemens.
Bedford.	Lindsey.
Bradley.	Mathis.
Burns.	McClain.
Calvert.	McGregor.
Celaya.	McKee.
Colson.	Moffett.
Daniel.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Duvall.	Palmer.
Dwyer.	Patterson.
Ford.	Pavlica.
Graves.	Ramsey.
Griffith.	Reader.
Harman.	Reed of Dallas.
Harris.	Riddle.
Harrison.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hill of Webb.	of Ochiltree.
Holloway.	Savage.
Huddleston.	Scott.
James.	Townsend.
Johnson	Wells.
of Anderson.	Young.
Jones of Shelby.	

Absent—Excused

Hodges.	Kayton.
Hughes.	Moore.
Johnson	Ratliff.
of Dimmit.	Stovall.
Jones of Atascosa.	Van Zandt.

Mr. Lotief raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

(Speaker in the Chair.)

Mr. Rollins moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Greathouse, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the following Members were present:

Adamson.	Hankamer.
Aikin.	Harman.
Alsup.	Harris.
Anderson.	Head.
Baker.	Hester.
Barrett.	Hicks.
Barron.	Holekamp.
Beck.	Holland.
Bedford.	Holloway.
Bourne.	Huddleston.
Butler.	Hunt.
Camp.	Hunter.
Canon.	Hyder.
Cathey.	Jackson.
Caven.	Jefferson.
Celaya.	Jones of Runnels.
Chastain.	Kyle of Hays.
Clayton.	Laird.
Coombes.	Latham.
Cowley.	Leonard.
Crossley.	Lindsey.
Davidson.	Lotief.
Dean.	Mackay.
Devall.	Magee.
Dunlap.	McCullough.
Dunagan.	McDougald.
Dwyer.	McGregor.
Fain.	McKee.
Few.	Merritt.
Fisher.	Metcalf.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Morrison.
Good.	Morse.
Goodman.	Munson.
Greathouse.	Palmer.
Griffith.	Pope.

Puryear.	Steward.
Ray.	Stinson.
Reader.	Stubbeman.
Reed of Bowie.	Sullivant.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Rollins.	Tillery.
Ross.	Turlington.
Russell.	Vaughan.
Savage.	Wagstaff.
Scarborough.	Walker.
Shannon.	Weinert.
Shults.	Winningham.
Smith.	Wood.
Stanfield.	

Absent

Alexander.	Jones of Shelby.
Bradley.	Kyle of Palo Pinto.
Burns.	Lemens.
Calvert.	Long.
Colson.	Mathis.
Daniel.	McClain.
Duvall.	Nicholson.
Engelhard.	Parkhouse.
Ford.	Patterson.
Graves.	Pavlica.
Harrison.	Ramsey.
Hartzog.	Reed of Dallas.
Hill of Brazoria.	Rogers of Hunt.
Hill of Webb.	Rogers of Ochiltree.
Hoskins.	Scott.
James.	Townsend.
Johnson	Wells.
of Anderson.	Young.

Absent—Excused

Hodges.	Kayton.
Hughes.	Moore.
Johnson	Ratliff.
of Dimmit.	Stovall.
Jones of Atascosa.	Van Zandt.

The Speaker announced a quorum present.

Question then recurring on House Concurrent Resolution No. 22, it was adopted.

SPECIAL ORDER SET

Mr. Sullivant moved that House Bill No. 112 be set as a special order for 2:55 o'clock p. m., today.

The motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 39, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of the failure of the governing bodies of such respective incorporated cities and towns to make such levy or levies by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, and where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town, etc., and declaring an emergency."

H. B. No. 142, A bill to be entitled "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas; prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Ninth Judicial District Court to said Special Ninth District Court, and from said Special Ninth District Court to the Court of the Ninth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said Court, making an appropriation for his salary, etc., and declaring an emergency."

S. B. No. 67, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law or county boards of trustees and boards of such districts; validating all proceedings and acts of said board of trustees heretofore taken by such boards of trustees; validating all bonds voted, authorized, and/or sold, and/or now outstanding of said districts; validating all tax

levies made in behalf of said districts; making certain exceptions, and declaring an emergency."

S. B. No. 82, A bill to be entitled "An Act relating to the time for holding court in the several counties constituting the One Hundred and Nineteenth Judicial District of Texas, composed of the Counties of Coleman, Concho, Runnels, and Tom Green; fixing the terms for holding court in each county; amending Chapter 367, Acts of the Regular Session of the Forty-second Legislature, 1931; repealing laws in conflict therewith, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 112 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 112, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time.

Mr. Beck offered the following amendment to the bill:

Amend House Bill No. 112 by adding a new Section, to read as follows:

"Section 2-a. It is expressly provided, however, that this Act shall be on a reciprocal basis, and shall not apply to those States that admit commercial trucks from Texas. It is provided further, that if this part of this Act shall be held invalid, it shall not affect any other part or section of said Act."

BECK,
AIKIN,
TENNYSON,
WAGSTAFF.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 112 was then passed to engrossment.

HOUSE BILL NO. 112 ON THIRD READING

Mr. Sullivant moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	McDougald.
Aikin.	McGregor.
Alexander.	McKee.
Alsup.	Merritt.
Anderson.	Metcalf.
Baker.	Mitcham.
Barrett.	Moffett.
Barron.	Morrison.
Bedford.	Morse.
Bourne.	Munson.
Bradley.	Nicholson.
Calvert.	Parkhouse.
Canon.	Patterson.
Cathey.	Puryear.
Celaya.	Ramsey.
Chastain.	Reader.
Clayton.	Reed of Bowie.
Colson.	Reed of Dallas.
Coombes.	Renfro.
Cowley.	Riddle.
Davidson.	Roberts.
Devall.	Rogers of Hunt.
Engelhard.	Rogers of Ochiltree.
Fain.	Rollins.
Few.	Ross.
Fisher.	Russell.
Fuchs.	Savage.
Glass.	Scott.
Good.	Shannon.
Goodman.	Shults.
Greathouse.	Smith.
Griffith.	Stanfield.
Hankamer.	Steward.
Harman.	Stinson.
Harris.	Stovall.
Head.	Stubbeman.
Hicks.	Sullivant.
Holland.	Tarwater.
Holloway.	Tennyson.
Huddleston.	Thomas.
Hunt.	Tillery.
Hyder.	Townsend.
Jefferson.	Turlington.
Jones of Runnels.	Vaughan.
Kyle of Hays.	Wagstaff.
Laird.	Walker.
Latham.	Weinert.
Long.	Winningham.
Lotief.	Wood.
Mackay.	Young.
Magee.	

Nays—1

Beck.

Present—Not Voting

Holekamp.	Hunter.
Absent	
Burns.	Hoskins.
Butler.	Jackson.
Camp.	James.
Caven.	Johnson
Crossley.	of Anderson.
Daniel.	Jones of Shelby.
Dean.	Kyle of Palo Pinto.
Dunlap.	Lemens.
Dunagan.	Leonard.
Duvall.	Lindsey.
Dwyer.	Mathis.
Ford.	McClain.
Golson.	McCullough.
Graves.	Palmer.
Harrison.	Pavlica.
Hartzog.	Pope.
Hester.	Ray.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Wells.

Absent—Excused

Hodges.	Kayton.
Hughes.	Moore.
Johnson	Ratliff.
of Dimmit.	Van Zandt.
Jones of Atascosa.	

The Speaker then laid House Bill No. 112 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103

Adamson.	Glass.
Aikin.	Golson.
Alsup.	Good.
Anderson.	Goodman.
Baker.	Greathouse.
Barrett.	Griffith.
Barron.	Hankamer.
Bedford.	Harman.
Bourne.	Harris.
Bradley.	Hartzog.
Calvert.	Holekamp.
Canon.	Holland.
Cathey.	Holloway.
Celaya.	Hoskins.
Chastain.	Huddleston.
Clayton.	Hunt.
Coombes.	Hunter.
Cowley.	Hyder.
Crossley.	Jefferson.
Davidson.	Kyle of Hays.
Dean.	Laird.
Devall.	Latham.
Dwyer.	Lemens.
Fain.	Long.
Few.	Lotief.
Fisher.	Mackay.

Magee.	Rollins.
McCullough.	Ross.
McDougald.	Russell.
McKee.	Savage.
Merritt.	Scarborough.
Metcalfe.	Scott.
Mitcham.	Shults.
Moffett.	Smith.
Morse.	Stanfield.
Munson.	Steward.
Nicholson.	Stinson.
Parkhouse.	Stovall.
Patterson.	Stubbeman.
Pope.	Sullivant.
Puryear.	Tarwater.
Ramsey.	Thomas.
Ray.	Tillery.
Reader.	Townsend.
Reed of Bowie.	Turlington.
Reed of Dallas.	Vaughan.
Renfro.	Wagstaff.
Riddle.	Walker.
Roberts.	Weinert.
Rogers of Hunt.	Winningham.
Rogers	Wood.
of Ochiltree.	Young.

Nays—1

Beck.

Absent

Alexander.	Hill of Webb.
Burns.	Jackson.
Butler.	James.
Camp.	Johnson
Caven.	of Anderson.
Colson.	Jones of Runnels.
Daniel.	Jones of Shelby.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Leonard.
Duvall.	Lindsey.
Engelhard.	Mathis.
Ford.	McClain.
Fuchs.	McGregor.
Graves.	Morrison.
Harrison.	Palmer.
Head.	Pavlica.
Hester.	Shannon.
Hicks.	Tennyson.
Hill of Brazoria.	Wells.

Absent—Excused

Hodges.	Kayton.
Hughes.	Moore.
Johnson	Ratliff.
of Dimmit.	Van Zandt.
Jones of Atascosa.	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 15

Mr. Laird submitted the following conference committee report on House Bill No. 15:

Committee Room,
Austin, Texas, October 5, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on

H. B. No. 15, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges, except for board and clothing, all citizens of Texas who served as nurses or in the armed forces of the United States during the World War or during the Spanish-American War, and who were honorably discharged therefrom, and giving said citizens a preferential right to be admitted to the benefits of said institutions; providing the provisions of this Act shall apply to those students herein exempted that have registered and paid fees for the 1933-34 term; and declaring an emergency."

Have had the same under consideration, and beg leave to submit the following bill, and ask that it be adopted as House Bill No. 15:

"H. B. No. 15,

A BILL

To Be Entitled

An Act authorizing and directing the governing boards of the several State-supported institutions of collegiate rank to except and exempt from the payment of all fees, dues, and charges, except for lodging, board, and clothing, all citizens of Texas who have resided in Texas for a period of not less than twelve (12) months prior to the date of registration, and who served as nurses or as members in the armed forces of the United States during the Spanish-American and/or World War, and who were honorably discharged therefrom; giving said citizens a preferential right to be admitted to the benefits of said institution; providing that the provisions of this Act shall apply to those students herein exempted and that have registered and paid fees for the 1933-34 term; authorizing the governing boards of such in-

stitutions to refund said fees for 1933-34 term; providing for the issuance, granting, and re-instatement of scholarships exempting certain graduates of the accredited high schools of this State from the payment of entrance and other fees; providing for a refund of fees already paid by those herein exempted who have already paid for the 1933-34 school term, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The governing boards of the several institutions of collegiate rank, supported in whole or in part by public funds appropriated from the State Treasury, are hereby authorized and directed to except and exempt all citizens of Texas, who have resided in Texas for a period of not less than twelve (12) months prior to the date of registration, and who served during the Spanish-American and/or during the World War as nurses or in the armed forces of the United States during the World War, and who are honorably discharged therefrom, from the payment of all dues, fees, and charges whatsoever, including fees for correspondence courses; provided, however, that the foregoing exemption shall not be construed to apply to deposits, such as library or laboratory deposits, which may be required in the nature of a security for the return of or proper care of property loaned for the use of students, nor to any fees or charges for lodging, board, or clothing. The governing boards of said institutions may, and it shall be their duty, to require every applicant claiming the benefit of the above exemption to submit satisfactory evidence that the applicant is a citizen of Texas and is otherwise entitled to said exemption. The provisions of this Section shall apply to those students who are herein exempted that have already registered and paid their fees or tuition for the 1933-34 school term, and the governing boards of such institutions are hereby authorized and directed to refund such fees to any student who has already paid such fees or tuition for the 1933-34 school term.

Sec. 2. The governing boards of said institutions of collegiate rank are hereby authorized to issue scholar-

ships each year to the highest ranking graduate of accredited high schools of this State, exempting said graduates from the payment of all dues, fees, and charges whatsoever; provided, however, that said exemptions shall not apply to library or laboratory or similar deposits, nor to fees or charges for lodging, board, or clothing. Such exemptions shall be granted subject to such limitations and restrictions as may be prescribed by the governing board of each of said institutions. Promises heretofore made by State educational institutions with reference to scholarships shall not be invalidated by House Bill No. 322, Chapter 196, General Laws of the Regular Session of the Forty-third Legislature, and providing that those students, who, as holders of scholarships granted prior to the passage of House Bill No. 322, Chapter 196, General Laws of the Regular Session of the Forty-third Legislature, who, upon entering any of the State educational institutions, are required to pay fees in accordance with the above-mentioned Act, shall be refunded those fees paid, and that those scholarships affected shall continue to be valid so long as the students may desire to use them for the purposes for which they were granted or until such students shall have completed a four-year course in such institution.

Sec. 3. The fact that the Act fixing the tuition fees, passed by the Regular Session of the Forty-third Legislature, unintentionally repealed pre-existing laws which exempted war veterans and certain graduates of certain high schools from the payment of college fees creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and that this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

LAIRD,
AIKIN,
JAMES,
WELLS,

On the part of the House;

SANDERFORD,
PACE,
WOODUL,
PURL,

On the part of the Senate.

Mr. Laird moved that the report be adopted.

Mr. Chastain moved that the report be not adopted, and that a new conference committee be appointed to adjust the differences.

Mr. Greathouse moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Chastain, it was lost by the following vote:

Yeas—45

Adamson.	Jones of Shelby.
Barrett.	Lindsey.
Bourne.	Magee.
Calvert.	Mathis.
Cathey.	Merritt.
Caven.	Mitcham.
Celaya.	Parkhouse.
Chastain.	Puryear.
Coombes.	Ray.
Davidson.	Reader.
Dean.	Reed of Bowie.
Dunagan.	Rollins.
Engelhard.	Russell.
Golson.	Scott.
Goodman.	Shannon.
Hester.	Steward.
Hicks.	Stinson.
Holekamp.	Stovall.
Holland.	Van Zandt.
Huddleston.	Vaughan.
Hunt.	Wagstaff.
Hunter.	Weinert.
Jones of Runnels.	

Nays—62

Aikin.	Hyder.
Alexander.	Jackson.
Alsup.	James.
Anderson.	Jefferson.
Beck.	Kyle of Hays.
Bedford.	Laird.
Canon.	Latham.
Clayton.	Long.
Colson.	Mackay.
Cowley.	McGregor.
Crossley.	McKee.
Devall.	Metcalfe.
Dwyer.	Moffett.
Fain.	Morrison.
Few.	Morse.
Fisher.	Munson.
Glass.	Nicholson.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Riddle.
Harris.	Rogers
Hartzog.	of Ochiltree.
Head.	Ross.
Hill of Webb.	Scarborough.
Hoskins.	Shults.

Smith.
Stanfield.
Stubberman.
Tarwater.
Tennyson.
Thomas.
Tillery.

Townsend.
Turlington.
Walker.
Wells.
Wood.
Young.

Absent

Baker.
Barron.
Bradley.
Burns.
Butler.
Camp.
Daniel.
Dunlap.
Duvall.
Ford.
Fuchs.
Good.
Graves.
Harman.
Harrison.
Hill of Brazoria.
Holloway.

Johnson
of Anderson.
Kyle of Palo Pinto.
Lemens.
Leonard.
Lotief.
McClain.
McCullough.
McDougald.
Palmer.
Patterson.
Pavlica.
Pope.
Ratliff.
Roberts.
Savage.
Sullivan.
Winningham.

Absent—Excused

Hodges.
Hughes.
Johnson
of Dimmit.

Jones of Atascosa.
Kayton.
Moore.
Ramsey.
Rogers of Hunt.

Question next recurring on the motion by Mr. Laird, it prevailed by the following vote:

Yeas—78

Adamson.
Aikin.
Alexander.
Alsup.
Anderson.
Barrett.
Bedford.
Calvert.
Canon.
Cathey.
Celaya.
Chastain.
Clayton.
Colson.
Cowley.
Crossley.
Davidson.
Devall.
Engelhard.
Fain.
Few.
Fisher.
Glass.
Golson.
Greathouse.
Griffith.
Hankamer.

Harman.
Harris.
Hartzog.
Head.
Hill of Brazoria.
Holland.
Hoskins.
Hyder.
Jackson.
James.
Jefferson.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kyle of Hays.
Laird.
Latham.
Long.
Mackay.
McGregor.
McKee.
Metcalf.
Moffett.
Morrison.
Morse.
Munson.
Nicholson.

Pope.
Reader.
Reed of Dallas.
Renfro.
Riddle.
Rogers
of Ochiltree.
Ross.
Russell.
Scarborough.
Shults.
Smith.
Stanfield.

Stovall.
Stubberman.
Sullivant.
Tarwater.
Tennyson.
Tillery.
Townsend.
Turlington.
Walker.
Wells.
Wood.
Young.

Nays—31

Bourne.
Camp.
Caven.
Coombes.
Dean.
Dunagan.
Goodman.
Hester.
Hicks.
Holekamp.
Hunt.
Lindsey.
Magee.
Mathis.
Merritt.
Mitcham.

Palmer.
Parkhouse.
Purvey.
Ray.
Reed of Bowie.
Rollins.
Scott.
Shannon.
Steward.
Stinson.
Thomas.
Van Zandt.
Vaughan.
Wagstaff.
Weinert.

Present—Not Voting

Hunter.

Absent

Baker.
Barron.
Beck.
Bradley.
Burns.
Butler.
Daniel.
Dunlap.
Duvall.
Dwyer.
Ford.
Fuchs.
Good.
Graves.
Harrison.
Hill of Webb.
Holloway.

Huddleston.
Johnson
of Anderson.
Kyle of Palo Pinto.
Lemens.
Leonard.
Lotief.
McClain.
McCullough.
McDougald.
Patterson.
Pavlica.
Ramsey.
Roberts.
Savage.
Winningham.

Absent—Excused

Hodges.
Hughes.
Johnson
of Dimmit.

Kayton.
Moore.
Ratliff.
Rogers of Hunt.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 57, A bill to be entitled "An Act authorizing navigation districts, without the voting of bonds or levying of taxes, to acquire, purchase, take over, construct, enlarge, extend, repair, maintain, operate, or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants and facilities, lightering, barges, towing facilities, and all other facilities or aids incident to, or necessary toward, the operation or development of ports or waterways within such districts, and to borrow money therefor from the Federal Emergency Administration of Public Works, or other department or agency of the United States Government, and to mortgage and encumber any part or all of such properties, plants, facilities, and aids, and the revenues and income to be derived therefrom to secure payment thereof; authorizing the issuance of obligations for the repayment thereof from such sources; authorizing the making of all contracts, leases, and agreements in connection with such matters; providing if any part of this Act shall be held invalid, it will not affect the remainder of the Act, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO VIOLATION OF ANTI-NEPOTISM LAW

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 7, Relative to violation of the Anti-Nepotism Law;

The resolution having heretofore been read second time, and referred to the Committee on Appropriations;

The Committee on Appropriations having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—94

Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Colson.
Alsup.	Coombes.
Anderson.	Crossley.
Barrett.	Dean.
Calvert.	Devall.
Camp.	Dunagan.
Celaya.	Dwyer.

Engelhard.	Mitcham.
Fain.	Moffett.
Few.	Morrison.
Fisher.	Morse.
Fuchs.	Munson.
Glass.	Nicholson.
Golson.	Palmer.
Greathouse.	Parkhouse.
Harman.	Pope.
Harris.	Puryear.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Holekamp.	Rollins.
Holland.	Russell.
Holloway.	Scott.
Huddleston.	Shannon.
Hunt.	Shults.
Hunter.	Smith.
Hyder.	Stanfield.
James.	Steward.
Jefferson.	Stovall.
Jones of Atascosa.	Stubbeman.
Jones of Runnels.	Sullivan.
Jones of Shelby.	Tarwater.
Latham.	Thomas.
Leonard.	Tillery.
Lindsey.	Townsend.
Long.	Turlington.
Mackay.	Vaughan.
Magee.	Wagstaff.
McCullough.	Walker.
McDougald.	Weinert.
McKee.	Wells.
Merritt.	Wood.
Metcalf.	Young.

Nays—6

Bourne.	Kyle of Hays.
Caven.	Scarborough.
Cowley.	Stinson.

Present—Not Voting

Riddle.

Absent

Baker.	Hankamer.
Barron.	Harrison.
Beck.	Hill of Webb.
Bedford.	Hoskins.
Bradley.	Jackson.
Burns.	Johnson
Butler.	of Anderson.
Chastain.	Kyle of Palo Pinto.
Clayton.	Laird.
Daniel.	Lemens.
Davidson.	Lotief.
Dunlap.	Mathis.
Duvall.	McClain.
Ford.	McGregor.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Ramsey.
Griffith.	Roberts.

Rogers
of Ochiltree.
Ross.

Savage.
Tennyson.
Winningham.

Absent—Excused

Hodges.
Hughes.
Johnson
of Dimmit.
Kayton.

Moore.
Ratliff.
Rogers of Hunt.
Van Zandt.

BILL RE-REFERRED

On motion of Mr. Long, House Bill No. 187 was withdrawn from the Committee on Judiciary, and referred to the Committee on Public Lands and Buildings.

HOUSE BILL NO. 149 ON SECOND READING

On motion of Mr. Greathouse, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 149, A bill to be entitled "An Act to amend House Bill No. 231, Chapter 102, page 225, General Laws, passed at the Regular Session of the Forty-third Legislature, State of Texas, by extending the period within which relief may be granted to debtors coming under the provisions of said Act, and extending the terms and provisions and the relief granted under said Act to and including the first day of January, A. D. 1935; amending Sections 1 and 11 of said Act; fixing a State policy, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

Mr. Long moved that the House adjourn until 10 o'clock a. m., next Monday.

The motion was lost.

HOUSE BILL NO. 58 ON SECOND READING

Mr. Weinert moved that the Twenty-four-hour House Rule, relative to the consideration of printed bills, be suspended, to take up, for consideration at this time, House Bill No. 58.

Question recurring on the motion, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—79

Adamson.
Aikin.
Alsup.
Anderson.
Barron.
Bourne.
Bradley.
Camp.
Canon.
Cathey.
Caven.
Celaya.
Colson.
Davidson.
Dean.
Devall.
Dunagan.
Dwyer.
Engelhard.
Fain.
Few.
Fisher.
Fuchs.
Glass.
Golson.
Good.
Goodman.
Greathouse.
Hartzog.
Head.
Hicks.
Hill of Brazoria.
Holland.
Hunt.
Hunter.
Hyder.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kyle of Hays.

Leonard.
Lindsey.
Long.
McCullough.
McDougald.
McGregor.
Merritt.
Moffett.
Morrison.
Munson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Puryear.
Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Rogers
of Ochiltree.
Rollins.
Ross.
Russell.
Scarborough.
Shannon.
Shults.
Stanfield.
Steward.
Stovall.
Stubbeman.
Tillery.
Turlington.
Vaughan.
Wagstaff.
Weinert.
Winningham.
Young.

Nays—22

Alexander.
Barrett.
Bedford.
Calvert.
Coombes.
Crossley.
Harman.
Harris.
Hoskins.
Huddleston.
Hughes.

Jackson.
James.
Lemens.
McKee.
Metcalf.
Mitcham.
Stinson.
Tennyson.
Thomas.
Walker.
Wood.

Absent

Baker.
Beck.
Burns.
Butler.
Chastain.
Clayton.
Cowley.
Daniel.
Dunlap.

Duvall.
Ford.
Graves.
Griffith.
Hankamer.
Harrison.
Hester.
Hill of Webb.
Holekamp.

Holloway.	Morse.
Jefferson.	Nicholson.
Johnson	Palmer.
of Anderson.	Ramsey.
Kyle of Palo Pinto.	Roberts.
Laird.	Savage.
Latham.	Scott.
Lotief.	Smith.
Mackay.	Sullivant.
Magee.	Tarwater.
Mathis.	Townsend.
McClain.	Wells.

Absent—Excused

Hodges.	Moore.
Johnson	Ratliff.
of Dimmit.	Rogers of Hunt.
Kayton.	Van Zandt.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 58, A bill to be entitled "An Act amending Article 5517, Revised Civil Statutes, providing for limitation of ten years on delinquent taxes, and declaring an emergency."

The bill was read second time.

Mr. Barron offered the following amendment to the bill:

Amend House Bill No. 58 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. All ad valorem taxes due the State of Texas, or any county, or political subdivision thereof, or any city or town, for and including the year 1920, or any year or years prior thereto, are hereby released and forever extinguished, and no claim shall hereafter be asserted by the State of Texas or any county or subdivision thereof, or any city or town, for any of said taxes, and all tax collectors and officers of this State and its subdivisions, charged with the duty or duties of assessing or collecting taxes, shall enter on their tax rolls that said taxes have been released and extinguished; provided the provisions of this Act shall not apply in any instance where a judgment has heretofore been rendered in favor of the State, or any county or subdivision thereof, for taxes due for any one or more of said years, and all taxes which may hereafter become delinquent for ten years or more shall be barred by limitation.

"Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 3. The fact that a constitutional amendment was adopted by an overwhelming vote of the people in the last general election, in 1932, empowering the Legislature to extinguish or release all ad valorem taxes past due for a period of at least ten years, and the fact that no action has been taken by the Forty-third Legislature to pass an enabling Act placing in effect or carrying out the authority delegated to the Legislature by the provisions of said constitutional amendment, together with the further fact that such legislation will aid in clearing up a large number of titles to property on which the taxes, penalties, and interest amount to much more than the property is worth, thereby adding to the taxable values of the State, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Question—Shall the amendment by Mr. Barron be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 15 by the following vote: Yeas, 27; nays, 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, Secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, October 6, 1933.

To the Forty-third Legislature in First Called Session:

At the request of Representative McKee, I submit for your consideration the attached bill, to be entitled

"An Act granting authority to the State Highway Department to acquire by purchase, and/or to construct, maintain, operate, and control ferries over and across any bay, arm, channel, or salt-water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river, or other navigable waters of this State, where such ferries connect designated State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, by the charging of tolls for the use thereof, and the right to charge reasonable tolls is hereby specifically granted to the State Highway Department under this Act, and declaring an emergency."

At the request of Representatives Bedford, Beck, Reed of Bowie, and Burns, I also submit for your consideration the attached bill, being "An Act making appropriation to pay for fuel, light, and water for the Court of Civil Appeals, First Supreme Judicial District, at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934 and August 31, 1935, respectively, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McGregor:

H. B. No. 190, A bill to be entitled "An Act to provide for holding a Texas Centennial celebration or celebrations in 1936; to provide for meeting requirements for such celebration or celebrations on the part of places desiring same; to create a Texas Centennial Commission with plenary powers to make all contracts in connection with such celebration or celebrations; to provide for the organization of such Commission, the time of service for same, and the filling of vacancies; to provide for the incor-

poration of such Texas Centennial Commission; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Reed of Bowie and Mr. Beck:

H. B. No. 191, A bill to be entitled "An Act providing for the issuance of certain State bonds, as provided for by Section 51-a, of Article III, of the Constitution of Texas; providing for the denominational par value of said bonds; providing for the further issuance of bonds, provided the total amount of \$6,000,000 in bonds is not used by the State Bond Commission at one time; providing for the method of issuance of said bonds; providing for the general form of said bonds; providing for the registration of said bonds by the State Treasurer, and the deposit of said bonds with said office; providing for the duties of said Commission; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Pope and Mr. Roberts:

H. B. No. 192, A bill to be entitled "An Act to provide for the granting of charters for corporations, and the renewal thereof, for the purchase, sale, and distribution of water and water rights, and the building of pipe lines, plants, and the equipment thereof; to provide the conditions under which charters for the same may be granted, and to authorize such corporations to borrow money from the Government of the United States of America or any agency thereof, and to issue its notes and bonds as evidence of its indebtedness; to authorize the issuance of stock on which shall be paid no dividends, and to provide for the distribution of the profits of such corporation to towns, cities, and other political subdivisions of the State, as well as private corporations and individuals who shall be customers of such corporation in the purchase of water; said dividends to be issued in direct proportion to the amount of business transacted by such contractees with said corporation; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Harman:

H. B. No. 193, A bill to be entitled "An Act making appropriations for

additional help in the Ranger Service, State Board of Control, Examining Division of the Insurance Department, Bureau of Labor Statistics, Live Stock Sanitary Commission, for the two-year period beginning September 1, 1933, and ending August 31, 1935, and for other purposes, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Holland, Mr. Bradley, Mr. Morse, and Mr. Moore:

H. B. No. 194, A bill to be entitled "An Act making certain independent school districts to receive donations of cash and donations of land upon which to build, erect, and construct buildings in which its junior colleges may be maintained and operated, and wherein an additional two years of college work may be taught so as to constitute a university; authorizing the board of education or board of trustees of such school districts to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting, and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber such lands, buildings, equipment, and appliances, and the income, rents, tolls, fees, and other charges to be derived from the operation thereof, and to evidence the obligation therefor, by the issuance of bonds; etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Bedford, Mr. Beck, Mr. Reed of Bowie, and Mr. Burns:

H. B. No. 195, A bill to be entitled "An Act making an appropriation to pay for fuel, light, and water for the Court of Civil Appeals, First Supreme Judicial District, at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. McKee and Mr. Bedford:

H. B. No. 196, A bill to be entitled "An Act granting authority to the State Highway Department to acquire by purchase, and/or to construct, maintain, operate, and control ferries over and across any bay, arm, channel, or salt-water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river, or other navigable waters of this State, where such ferries connect designated State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, by the charging of tolls for the use thereof, and the right to charge reasonable tolls is hereby specifically granted to the State Highway Department under this Act, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Laird:

H. B. No. 197, A bill to be entitled "An Act designating the Texas Rehabilitation and Relief Commission, as a State agency, to co-operate with the United States Employment Service in the administration of the Act of Congress relating to the establishment of a National employment system; providing for the State of Texas to accept the provisions of the National Act known as 'An Act to provide for the establishment of a National employment system, and for co-operation with the States in the promotion of such system'; making an appropriation, and declaring an emergency."

Referred to Committee on Appropriations.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 57, to the Committee on Conservation and Reclamation.

Senate Bill No. 67, to the Committee on Education.

Senate Bill No. 82, to the Committee on Judicial Districts.

ADJOURNMENT

Mr. Long moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Coombes moved that the House adjourn until 9:30 o'clock a. m., next Monday.

The motion of Mr. Long prevailed, and the House, accordingly, at 5:40 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 112, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature; placing the Act on a reciprocal basis; providing a saving clause with respect to Section 2, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 132, A bill to be entitled "An Act making an additional allocation and appropriation of the revenues derived from the tax levied and collected on the gross sales of gas transmission lines by the provisions of Article 6060, Revised Civil Statutes, for the use of the Attorney General's Department in enforcing the provisions of Articles 6050 et seq., Revised Civil Statutes, relative to the regulation of gas utilities and the orders of the Railroad Commission promulgated in pursuance thereof; providing that in the event the revenues derived by such tax over and

above the sum of fifty-one thousand three hundred dollars, appropriated by the provisions of Chapter 166, Acts, Forty-third Legislature, to the Gas Utilities Division of the Railroad Commission are insufficient to total the sum of twenty thousand dollars herein appropriated, that the balance necessary to total such sum of twenty thousand dollars is appropriated from the General Revenue Fund; providing that none of the money herein appropriated shall be used to employ relatives of Members of the Legislature; authorizing the Attorney General to appoint, and the Railroad Commission to pay, an Assistant Attorney General out of said funds, and requiring such assistant to devote his entire time to utility matters, and fixing his compensation; requiring the Attorney General to report expenditures of this appropriation to the State Auditor, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 20, A bill to be entitled "An Act amending House Bill No. 578, Chapter 153, of the Acts of the Forty-third Legislature, defining certain words, terms, and phrases for the purposes of this Act; providing that the provisions hereof shall not include warehouses distributing any such cigarettes theretofore sold and shipped to them for distribution; providing and imposing a tax on sales of intrastate commerce in this State of cigarettes according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the Treasurer; providing a penalty for any person to sell stamps other than the Treasurer, with exception; authorizing and requiring the Treasurer to design and have printed or manufactured such stamps; requiring such stamps to be affixed on each individual package of cigarettes; providing that such stamps shall be supplied by the Treasurer to all licensed dealers at a discount when purchased in certain quantities; providing that such stamps shall be

sold by the Treasurer to any and all persons, firms, partnerships, corporations, and associations of persons; etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 21, "An Act authorizing the State Board of Education to create and establish school districts at military reservations located within the State of Texas upon such terms and conditions as agreed upon by and between said Board and the War Department of the United States Government; providing for the appointment of boards of trustees for school districts created under the terms of this Act; prescribing the duties to be performed by said trustees; defining and prescribing the powers and privileges of said districts; providing for the enumeration of children within the scholastic age living within the boundaries of said districts, and providing for their participation in the distribution of the Available School Funds of the State; providing for the abolition of such districts, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 68, "An Act making it unlawful for any person to hunt, trap, kill, or attempt to kill, by any means whatsoever, any wild turkey, chachalaca, or wild Mexican pheasant in the Counties of Comal, Guadalupe, Gonzales, and Wilson for a period of five (5) years; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 39, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of the failure of the governing bodies of such incorporated cities and towns to make such levy or levies by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, and where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable to all incorporated cities and towns in this State having a population of not less than three thousand nine hundred and eighty (3,980) inhabitants, and having not more than four thousand (4,000) inhabitants, according to the last preceding Federal Census; providing that if any part or portion of this Act shall be held invalid, the remaining parts and portions shall remain in full force and effect, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 103, "An Act providing for the pledging of local school funds from district taxes and other local sources to be used to pay the interest and sinking fund on a loan or loans from the Federal Government for certain purposes; authorizing the pledging of annual tax receipts by the board of trustees; authorizing the making of contracts with lenders upon certain terms; providing for a sinking fund for the loans so made; requiring a certain amount to be placed in the sinking fund and the greater amount where necessary; authorizing boards

of trustees to execute quitclaim deeds to school sites to the Federal Government; providing for the creation of lease contracts upon certain terms whereby the rent money becomes a part of the purchase price of school buildings and school property; providing that the boards of trustees of such school districts, as are provided for herein, are authorized to perform any and every act in anywise suggested or demanded by the Reconstruction Finance Corporation which may be necessary to obtain loans for the above purposes; providing for the final ownership of property by the school board; authorizing the boards of trustees to pledge local funds to pay rent; providing that a certain amount shall be paid each year; providing that the lease shall not extend for a term of more than thirty (30) years; providing that said Act shall be effective in all independent school districts containing not less than four hundred and fifty-five (455) and not more than five hundred and sixty-five (565) scholastics, according to the latest approved census roll on file in the State Department of Education; and, providing that said school districts shall be located in counties containing a population of not less than fifteen thousand six hundred and fifty (15,650) and not more than fifteen thousand seven hundred and twenty (15,720) inhabitants, according to the last Federal Census; repealing all laws or parts of laws in conflict herewith in so far as this Act is concerned and no further, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, October 6, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

"H. B. No. 142, "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Ninth Judicial District

Court to said Special Ninth District Court and from said Special Ninth District Court to the Court of the Ninth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said court, making an appropriation for his salary; providing for the district clerks of Montgomery County, Waller County, Polk County, and San Jacinto County, and their successors in office, to be the clerks for the said Special Ninth District Court in their respective counties; providing a seal for said Special Ninth District Court; repealing all laws or parts of laws in conflict herewith; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

SIXTEENTH DAY

(Saturday, October 7, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Dunagan.
Adamson.	Dwyer.
Aikin.	Engelhard.
Alexander.	Fain.
Alsup.	Few.
Anderson.	Fisher.
Baker.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Beck.	Good.
Bourne.	Goodman.
Bradley.	Graves.
Butler.	Griffith.
Calvert.	Hankamer.
Camp.	Harris.
Canon.	Hartzog.
Cathey.	Head.
Caven.	Hester.
Celaya.	Hicks.
Chastain.	Hill of Brazoria.
Clayton.	Hill of Webb.
Colson.	Holekamp.
Cowley.	Holland.
Crossley.	Holloway.
Davidson.	Hoskins.
Dean.	Huddleston.
Devall.	Hughes.
Dunlap.	Hunt.